

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

**MONICA FERGUSON,**

Plaintiff,

v.

**SECRETARY OF VETERANS AFFAIRS,**

Defendant.

Case No. 3:20-cv-00212-YY

**ORDER**

**IMMERGUT, District Judge.**

On May 25, 2022, Magistrate Judge Youlee Yim You issued her Findings and Recommendations (“F&R”). ECF 59. Judge You recommended that this Court grant Defendant’s Motion to Dismiss, ECF 55, because Plaintiff failed to allege facts sufficient to establish a plausible causal connection between her protected activity in 2010 and 2011 and Defendant’s alleged retaliatory acts occurring years later. No party filed objections. This Court ADOPTS Judge You’s F&R in full.

**STANDARDS**

Under the Federal Magistrates Act (“Act”), as amended, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.”

28 U.S.C. § 636(b)(1). If a party objects to a magistrate judge’s F&R, “the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act “does not preclude further review by the district judge, *sua sponte*” whether de novo or under another standard. *Thomas*, 474 U.S. at 154.

### **CONCLUSION**

No party having filed objections, this Court has reviewed the F&R and accepts Judge You’s conclusions. The F&R, ECF 59, is adopted in full. Defendant’s Motion to Dismiss, ECF 55, is GRANTED. Plaintiff’s Second Amended Complaint, ECF 53, is DISMISSED with prejudice.

**IT IS SO ORDERED.**

DATED this 14th day of June, 2022.

/s/ Karin J. Immergut  
Karin J. Immergut  
United States District Judge